Government of Maharashtra

Tribal Development Department

Government Resolution No VIP 2012/CR 37/ Desk 16,

Mantralaya Mumbai 32

Date: 05 March 2013.

Read -

1. **Government Resolution G.A.D No.: RAJ-1011/MUMANSA/C.R. 57/2011/20-A. Date- 31.01.2012**
2. **Government Resolution Tribal Development Department No.: VIP2012/ CR37/D16 Date-23.01.2013**

Introduction -

The Fifth Schedule of the Constitution contains provisions about the special responsibilities and role of the Hon' Governor in the Scheduled Areas. To help the Governor in the discharge of these responsibilities, the Ministry of Tribal Affairs, Government of India has proposed the setting up of a Tribal Cell in the office of the Governor. Vide reference no. 1, orders have been issued for setting up a “Tribal cell” in the office of the Hon’ble Governor. In a workshop held on 9th February. 2011 in YASHADA, discussions regarding the activities of the Tribal cell were held with all stakeholders. By superseding the Government Resolution issued at reference no 2 above The Government wishes to issue the following revised orders to strengthen and streamline the functioning of the Tribal Cell.

Resolution -

1. According to the provisions of clause 3 of the Fifth Schedule, the Governor has to annually make a report regarding the administration of the Scheduled Areas in the State. According to the opinion submitted by the Attorney General, this report is

expected to include a personal assessment of the Governor regarding the administration of the Scheduled Areas in the State. It shall be the responsibility of the Commissioner, Tribal Development, Nashik to submit an annual report to the Hon'ble Governor's office regarding various issues concerned with the Scheduled Areas and the implementation of the schemes for the welfare of the Scheduled Tribes. All Departments which are related to various Schemes in the Scheduled Areas should submit information regarding their programs and schemes to the Commissioner, Tribal Development before 31st May of each year. After consolidating this information and including information about the schemes implemented by the Tribal Development Department a report should be submitted by the Commissioner, Tribal Development, Nashik to the Hon'ble Governor's office within 3 months (before 30th June) from the end of the financial year. The Tribal Cell should finalize a proforma for this annual report.

2. The Tribal Development Department is taking up surveys and evaluation studies regarding the various schemes of the Department implemented through the TSP. In addition the Tribal Cell can also commission studies or surveys regarding socio-economic indicators to ascertain the status of the tribal community and the impact of various welfare measures initiated by the Government. These studies will help the Governor in making his own assessment while sending reports to the President. The Tribal cell can entrust this work to University Departments, reputed research institutions, TRTI, YASHADA or competent NGOs. Tribal Development Department will make adequate funds available for this purpose. The Tribal Cell should place a demand regarding requirement of funds for the same well in advance Through Commissioner Tribal Development Nashik, so that the Department can budget the same. To prevent duplication of efforts, the Tribal Development Department should send a list of the studies/surveys other than taken up or proposed to be taken up by the Department to the Hon'ble Governor's office.

3. According to clause 5(2) of Part B of the Fifth Schedule, the Governor has been empowered to make regulations for the peace and good government of any area in the

State which is for the time being a Scheduled Area. Such regulations shall be made in consultation with the Tribes Advisory Council and with the assent of the President. On receipt of any such draft regulation from the Governor's office, the Principal Secretary, Tribal Welfare shall expeditiously place it before the Tribes Advisory Council for obtaining their views.

4. The Tribal Cell has suggested that certain pilot interventions can be taken up in the Scheduled Areas in various sectors like health, nutrition, Civil supplies (especially Public Distribution System), Education (including vocational education), land rights, communication, use of Information Technology, micro planning for development, livelihood, community empowerment etc. be taken up in the Scheduled Areas. The results of these interventions can be monitored by the Tribal Cell. Successful interventions can be replicated in other Scheduled Areas of the State by the concerned Department. These interventions will provide inputs for the regulations that can be framed under clause 5(2) referred to in Para 2 above. The procedure for taking up these pilot interventions will be as follows

a) The following "Project Sanctioning and Monitoring Committee" is being constituted.

1	Principal Secretary (Tribal Development)	Chairman
2	Secretary to Governor	Co-chairman
3	Secretary of concerned Department	Member
4	Commissioner Tribal Development Nashik	Member
5	Divisional Commissioner (concerned) (out of Konkan/Nashik/Amravati/Nagpur)	Member
6	Collectors (from districts having Scheduled Areas-1)	Member
7	CEO (from districts having Scheduled Areas-2)	Members
8	Deputy Secretary to Hon'ble Governor. (Development Boards)	Member Secretary

The members at 5, 6 and 7 will be nominated by the Co-chairman in consultation with the Revenue and Forest Department and Rural Development Department. The Committee may invite other subject experts as and when required.

b) The Committee will meet at least once in 3 months. The Committee will identify pilot blocks for taking up the intervention and monitor the progress of the same.

c) The pilot interventions should aim to improve the socio-economic indicators of the pilot block. The pilot projects should be such that they can be implemented within a period of 6 months. Preference should be given to projects providing benefits to the entire community.

d) The Tribal Development Department will make available an amount of ₹ 2Crs during the each financial year to fund the pilot projects.

e) The Committee can consider projects suggested by the committee members, various Government Departments, Development Boards and YASHADA. The Committee should scrutinize the project reports, grant approval and identify the implementing agency also.

f) After the approval of the Project Sanctioning and Monitoring Committee, administrative approval orders will be issued by the Tribal Development Department.

g) The Committee should publish an annual report regarding the status of the pilot projects.

5. The expenditure involved on the above account should be debited to the Demand No. T-5 under the major head 2225D369 Welfare Of Scheduled Castes, Scheduled Tribes And Other Backward Classes And Minorities And Commissioner Tribal Development will be controlling officer for this.

6. This Government Resolution is issued with concurrence from Finance Department vide it's unofficial reference No. 425 / Exp.14 dated 17.09.2012 & 33 / Exp.14 dated 11.01.2013 , Revenue & Forest Department vide it's unofficial reference No. 6/2012/E-1 dated 12.07.2012 and Rural Development Department vide it's unofficial reference No.141/P.S. dated 1.11.2012.

This Government resolution of Maharashtra Government is available at the website www.maharashtra.gov.in. Reference no. for this is 201303051127403724. This order has been signed digitally.

By order and in the name of the Governor of Maharashtra.

RAMESH CHANDRA SAGAR

Digitally signed by RAMESH CHANDRA SAGAR
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Dr Rameshchandra Sagar

Principal Secretary

Copy forwarded to:

1. Hon'ble Chief Minister
2. Hon'ble Deputy Chief Minister
3. Hon'ble Minister, Tribal Development.
4. Secretary to Hon'ble Governor
5. Comptroller of Hon'ble Governor's Household, Raj Bhavan, Malbar hill, Mumbai
6. Chief Secretary. Government of Maharashtra. Mumbai.
7. Additional Chief Secretary/ Principal Secretary/ Secretary, all departments of Mantralaya. Mumbai.
8. All Head of the Departments / Head of the Regional Offices/Head of the offices under all the departments
9. Auditor General [Accounts & Entitlement] Maharashtra-1, Mumbai/Maharashtra-2, Nagpur.
10. Auditor General [Auditing] Maharashtra-1, Mumbai/Maharashtra-2, Nagpur.
11. Pay & Accounts Officer, Mumbai.
12. Finance Department/Seva-5/Vittiya Sudharna-1, Expenditure-14/Budget-2/12, Mantralaya

13. All Divisional Commissioner
14. All Collector
15. All Chief Executive Officer/ All Z.P.
16. All Dy. Secretary [Development Boards]
17. Commissioner of Tribal Development, Nashik
18. Commissioner of T.R.T.I. Pune
19. Managing Director. Tribal Development Corporation. Nashik.
20. Managing Director.SHABARI Finance & Development Corporation. Nashik.
21. Director Yashda, Pune
22. All Addl. Commissioner, Tribal Development
23. All Project Officer, I.T.D.P.
24. All recognised Political Party offices
25. All Hon'ble Members of Legislative Assembly / Council
26. Director, Information and public relations, Mumbai
27. All Dy. Secretary/ Under Secretary/ Desk Officers, Tribal Development Department, Mantralaya, Mumbai.
28. All Desks Tribal Development.
29. Select file/D.16.